

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

United States of America,	)	C/A No.: 1:16-866-JMC-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
Charles M. Prosser, d/b/a Prosser's	)	ORDER
Septic Tank Service,	)	
	)	
Defendant.	)	
	)	
	)	

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On March 17, 2016, the United States of America (“the Government”) filed a complaint against Charles M. Prosser, d/b/a Prosser’s Septic Tank Service (“Defendant”). [ECF No. 1]. On March 29, 2017, the Government filed a motion for summary judgment and for sanctions against Defendant. [ECF No. 27]. Because Defendant is proceeding pro se, the undersigned entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on March 30, 2017, advising Defendant of the importance of the motion for summary judgment and of the need for him to file an adequate response by May 1, 2017. [ECF No. 28]. Defendant was specifically advised that if he failed to respond adequately, the Government’s motion may be granted. *Id.*

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Defendant failed to properly respond to the motion. As such, it appears to the court that he does not oppose the motion and does not oppose an entry of judgment against him in this action. Based on the foregoing, Defendant is directed to advise the court whether he opposes the Government’s motion for summary judgment and to file a

response to the motion by May 18, 2017. Defendant is further advised that if he fails to respond, the undersigned will recommend judgment be entered against him based on his failure to defend. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

May 4, 2017  
Columbia, South Carolina

A handwritten signature in cursive script, reading "Shiva V. Hodges".

Shiva V. Hodges  
United States Magistrate Judge